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Attorney's Docket No. 5031-198CT

<u>PATENT</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e: Richard Samsel;

Sérial No.:

10/765,404

Group Art Unit: 3677

Filed:

January 26, 2004

Examiner: Jack W. Lavinder

For:

STORAGE CABINET WITH LOCKING SYSTEM HAVING DUAL

RELEASE MEMBERS

Date: February 21, 2006

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUBMISSION OF TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

Sir:

Applicant hereby submits the enclosed Terminal Disclaimer Under 37 C.F.R. § 1.321 for the above referenced application. Also enclosed is a check in the amount of \$65.00 [37 C.F.R. § 1.20(d)] to cover the fee for filing a Terminal Disclaimer. The Examiner is authorized to charge Deposit Account No. 50-0220 for any additional fee which may be required or credit any overpayment.

Respectfully submitted,

Jarnes R. Cannon

Registration No. 35,839

USPTO Customer No. 20792

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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 271, 2006.

Joyce Paoti

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re: Richard Samsel Group Art Unit: 3677

Serial No.: 10/765,404 Examiner: Jack W. Lavinder

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TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(a)

Sir:

I, James R. Cannon, am an attorney of record of the disclaimant, Delta Consolidated Industries, Inc., and am authorized to execute this disclaimer on behalf of Delta Consolidated Industries, Inc. The disclaimant, Delta Consolidated Industries, Inc., having a principal place of business at 2728 Capital Boulevard, Raleigh, North Carolina is the owner of all right, title, and interest in the above-identified application, by Assignment recorded on May 16, 2001, at Reel 011810, Frame 0396.

The disclaimant hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156, §173, and any other relevant statutory provision of prior U.S. Patent No. 6,681,604, issued January 27, 2004, as presently shortened by any terminal disclaimer, which patent was assigned to the above-identified disclaimant by an Assignment recorded on May 16, 2001, at Reel 011810, Frame 0396.

Disclaimant further agrees that any patent so granted on the aboveidentified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that U.S. Patent No. 6,681,604 and the instant application are Serial No.: 10/765,404 Filed: January 26, 2004

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commonly owned. This agreement runs with any patent granted on the above-identified application, and is binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application that is prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 - 156 and §173 of U.S. Patent No. 6,681,604, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Respectfully submitted,

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Joyce/Paolic